

REQUEST FOR PROPOSALS GUARANTEED ENERGY SAVINGS CONTRACT

Elwood Community Consolidated School District #203
409 North Chicago Avenue
Elwood, IL 60421

Introduction

The Board of Education of Elwood Community Consolidated School District #203 (the "School District"), is requesting qualified providers to propose innovative solutions and Energy Conservation Measures through a guaranteed energy savings contract. These proposals shall include: (a) the implementation of a facility audit, data collection, and other related analyses preliminary to the undertaking of Energy Conservation Measures; (b) the evaluation and recommendation of Energy Conservation Measures; (c) the implementation of one or more Energy Conservation Measures; and (d) the implementation of project monitoring and data collection to verify post-installation energy consumption and energy related operating costs pursuant to 105 ILCS 5119b-1 *et seq.* This RFP is issued on the following date pursuant to Section 1.4 of Article I 9b which provides for a negotiated procurement.

Chevron Energy Solutions, a division of Chevron U.S.A., Inc., participated in the preparation of these specifications issued by the District pursuant to this Request for Proposal.

Date issued: February 27, 2012

Proposed Project Calendar

Issuance of RFP	February 27, 2012
Mandatory site walk-through at Elwood School	March 9, 2012 at 9:00am
Submission of Proposals and Opening	March 29, 2012
Selection of Qualified Provider	April 10, 2012

Upon selection of the Qualified Provider by the School District, the School District will negotiate and execute the Guaranteed Energy Savings Contract with the selected Qualified Provider.

Please provide 3 copies. All proposals shall be sealed and received in the following office no later than **1:00 P.M. on March 29, 2012**

Ms. Rose Dennis
Elwood Community Consolidated School District #203
409 North Chicago Avenue
Elwood, IL 60421

NO EXTENSIONS WILL BE GRANTED

Minimum Requirements for Proposal

- A. Provide comprehensive energy services and innovative solutions for the School District, which may include the installation of energy savings equipment and material. The specific nature of this equipment and material will be left up to the Qualified Provider and may be based upon the Qualified Provider's understanding of the School District's needs.
- B. Provide a more comfortable environment for building occupants. This may include repair or modernization of mechanical, electrical, plumbing, building envelope, environmental systems and classroom, office and/or administrative areas to maximize energy and operational efficiencies. The specific nature of repair or modernization will be left up to the Qualified Provider and may be based upon the Qualified Provider's understanding of the School District's needs.
- C. The Qualified Provider will provide a financial package that will be customized to meet the financial requirements of the School District.
- E. A savings guarantee will be offered as part of the Qualified Providers proposal in accordance with Article 5/19b-1 *et seq.* of the Illinois School Code. The savings in energy and operating costs are guaranteed to cover the cost of the program.
- F. If actual savings fall short of the guaranteed savings, the Qualified Provider will reimburse the School District for the difference.
- G. Qualified Provider must be able to demonstrate successful implementation of at least five similar performance contracts within the last three years, for School Districts located in Will, DuPage, Lake, Cook or McHenry Counties in Illinois. It is preferred that the Qualified Provider demonstrate successful implementation of at least ten similar performance contracts within the last seven years for School Districts located in Will, DuPage, Lake, Cook or McHenry Counties in Illinois.
- H. If a proposal includes any proprietary data or information that the respondent does not want disclosed to the public, such data or information must be specifically identified as such on every page where it is found. Respondent should be aware that the School District is subject to the Illinois Freedom of Information Act and cannot guarantee that any document provided by a respondent will be considered as exempt from public disclosure under such Act.
- I. Qualified Provider shall provide evidence that it is a "qualified provider" as that term is defined in Section 19b-1.3 of the School Code (105 ILCS 5/19b-1.3) and shall provide evidence as to whether it is an accredited Energy Service Provider (ESP) by the National Association of Energy Service Companies (NAESCO) and provide documentation to this fact.
- J. Qualified Provider shall provide evidence as to whether it is pre-qualified by the Department of Energy (DOE) and Department of Defense (DOD) as an energy services provider and provide documentation to this fact.

- K. Qualified Provider shall provide evidence that it has at least one full-time employee in the Illinois local office that is a LEED® AP (LEED® Accredited Professional) and provide documentation to this fact.
- L. By submitting a proposal, each Qualified Provider agrees, that if awarded the contract, the Qualified Provider shall conduct at its own expense criminal history background checks on all of its employees, agents, volunteers, etc., who will enter School District property. The Qualified Provider shall provide copies of the results of each criminal history background check to the School District. The Qualified Provider shall not allow anyone to work on the contract whose criminal history background check reveals items that would prohibit them from working with children under Illinois law or reveals other criminal conduct or inappropriate behavior which reasonably calls into questions such individuals fitness to work with children.
- M. By submitting a proposal, each Qualified Provider agrees that, if awarded the contract, it shall comply with the provisions of the Prevailing Wage Act (820 ILCS 130/0.01 *et seq.*) and each law identified in Section 19b-15 of the Illinois School Code (105 ILCS 5/19b-15).
- N. By submitting a proposal, each Qualified Provider agrees to furnish a Performance Bond and Labor and Material Payment Bond in the amount of one hundred percent (100%) of the Contract Sum. Owner requires that the bond surety must carry a BEST RATING of A and that the Owner has no objection to the bond surety.
- O. By submitting a proposal, each Qualified Provider agrees to furnish and maintain, at its own expense, insurance covering all operations under the contract, whether performed by Qualified Provider or by its subcontractors, if any, including, without limitation, workers' compensation insurance, employers' liability insurance and commercial general liability insurance. All insurers shall be licensed by the State of Illinois and rated A-Vu or better by A.M. Best or comparable rating service or be an authorized Risk Retention Group acceptable to the School District. At any time following contract award, the Qualified Provider shall submit to the School District certificates of insurance satisfactory of insurance coverage or its policies upon request of the School District. The Qualified Provider shall have its general liability insurance endorsed to provide that the School District, a body politic and corporate, and its Board members, employees, agents, officers, officials and any other entity as may be designated by the School District, are listed as "ADDITIONAL INSURED-OWNERS, LESSEES OR CONTRACTORS" - on a primary basis, without recourse or right of contribution. The Qualified Provider shall require its insurer(s) to submit insurance certificate(s) evidencing coverage maintained by the Qualified Provider indicating that (1) the School District, and its Board members, employees, agents, officers, officials, and such other parties as may be designated by the School District are additional insureds on the general liability insurance and (2) the insurer will provide sixty (60) days prior written notice of a material change, cancellation, or non-renewal to the Superintendent of the School District. The Qualified Provider shall require any subcontractors under the contract to maintain comparable insurance which shall name the Qualified Provider, the School District inclusive of its Board members, employees, agents, officers, officials and any other entity designated by the School District as *Additional Insureds*. The Qualified Provider will maintain a file of subcontractors' insurance certificates evidencing compliance with these requirements.

- P. By submitting a proposal, each Qualified Provider agrees to release, indemnify and hold harmless the School District, its Board members, employees, agents, officers and officials, from and against any and all liabilities, taxes, tax penalties, interest, losses, penalties, damages and expenses of every kind, nature and character, including costs and attorney fees, arising out of, or relating to, any and all claims, liens, damages to property or person (including death), obligations, actions, suits, judgments, settlements, or causes of action of every kind, nature and character, in connection with or arising out of the negligent acts or omissions of the Qualified Provider or its employees or its subcontractors related to the performance of the work.

The School District is very interested in working with a company of significant financial strength. The following information is requested in order to assess the financial health of the Qualified Provider.

- Q. Indicate your firm's Standard & Poor's and Moody's credit ratings and provide supporting documentation.
- R. Indicate whether your firm has cash on balance sheet equal to or greater than 10 million dollars and provide documentation to this fact.
- S. Indicate whether your firm has net assets equal to or greater than 100 million dollars and provide documentation to this fact.
- T. The School District is very interested in working with a company whose focus is based solely on Guaranteed Energy Projects. Indicate your firm's revenue as a percentage of the following:
- Equipment manufacturing_____ %
 - Service and maintenance_____ %
 - Bid and spec. _____ %
 - Other _____ %
 - Guaranteed energy projects _____ %

Proposal Format

The Proposal must be submitted in the three section format (A, B, and C) outlined in this section. Each proposal will be reviewed to determine if it is complete prior to actual evaluation. The School District reserves the right to eliminate from further consideration any proposal deemed to be substantially or materially unresponsive to the requests for information contained herein.

At a minimum, each submitted proposal **MUST** contain the following information.

- ✓ Executive Overview
- ✓ Experience and Qualifications of the Qualified Provider
- ✓ Annual Report of the Qualified Provider (may be included in Appendix).
- ✓ Resumes of Key Personnel
- ✓ Proposed Scope of Work
- ✓ Proposed Project Cost and Savings
- ✓ Project Management Capabilities
- ✓ Bid Bond

A. EXPERIENCE AND QUALIFICATIONS

Provide a description of the Qualified Provider including the following:

1. The Qualified Provider's experience with energy and energy related services.
2. Examples and details of at least 5 Illinois K-12 School District projects over the last three years in which the Qualified Provider was the Primary Contractor in Will, DuPage, Cook, Lake or McHenry Counties in Illinois. Examples and details of at least 10 Illinois K-12 School District projects over the last seven years in which the Qualified Provider was the Primary Contractor in Will, DuPage, Cook, Lake or McHenry Counties in Illinois.
3. Resumes of all key project personnel, including projects they have participated in throughout their career.
4. A description of how the Qualified Provider would manage the project.
5. Include the most recent annual report for the Qualified Provider.
6. Description of how the Qualified Provider will insure and bond the project.

B.SCOPE OF WORK DESCRIPTION

Section B should contain the following information about the respondent's technical approach to meeting the School District's comfort, energy efficiency & operating cost reduction objectives:

1. List of specific innovative solutions and conservation measures the respondent proposes to implement.
2. Include a section explaining each of the innovative solutions and conservation measures in some level of detail.
3. Additional information about the respondent's technical approach to the project may be included in this section.
4. Proposals must include a schedule indicating how the project will be complete for the building to reopen in the fall

C.PROJECT COST AND SAVINGS

Section C of the proposal should contain the following information about the financial terms of the proposed transaction.

1. Information about the Qualified Provider's projections as to total annual savings, payments to the respondent, and the net benefit to the School District from the proposed transaction (cash flow analysis).
2. A description of important financial terms should be included in the proposal. This section must include:
 - a) Type and source of financing.
 - b) Interest rate (including any associated annual fees).
 - c) The frequency of these payments.
 - d) The term of the proposed agreement.
 - e) A guarantee of energy savings on an annual basis.
 - f) Any other terms or information relevant to the financial aspects of the proposed transactions.

3. A description of the method to be used to measure energy savings achieved in the school building through the efforts of the Qualified Provider should be included within this section.
4. The Total Project Cost for the Implementation of the Improvements should be included within this section. Do not include any proprietary pricing models.

Evaluation Criteria

Each proposal will be evaluated by the examining the following criteria:

1. Experience and qualifications 30%
2. Financial approach and guarantee 20%
3. Technical approach 20%
4. Project management 10%
5. Financial strength of Qualified Provider 20%

The School District reserves the right to reject any and all proposals and/or waive any informality, irregularity or defect in any or all proposals and to accept that proposal which in its opinion is in the best interest of the School District. Any such decision will be final.

All proposals shall be deemed final, conclusive and irrevocable. Once opened, no proposal shall be subject to correction or amendment for any error or miscalculation. No proposal shall be withdrawn without the consent of the School District after the date and time established for their receipt. All proposals shall be valid for a minimum of 60 days after the date established for their receipt. Providers must satisfy themselves, upon examination of these requirements, as to the intent of these requirements. After the submission of the proposal, no complaint or claim that there was any misunderstanding in regard to the proposal will be entertained from any party.

A Bid Bond of 10% of the Total Project Cost is required from a qualified and acceptable surety. If the Qualified Provider refuses to enter into a contract with the School District or fails to furnish the required performance bond hereunder, the amount of the bid bond will be forfeited to the School District as liquidated damages and not as a penalty. Bid bonds or certified checks will be returned to non-successful Qualified Providers within three days following the award decision.

Attachments to this RFP

Copy of floor plan
Copy of one gas, electric and water bill
No energy audit was conducted